

MAR-02-05 16:20

FROM-BEUSSE BROWNLEE ET AL

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T-207 P.02/11 F-263

PTO-1580 (Rev. 07-2004)

Approved for use through 3/31/2007 OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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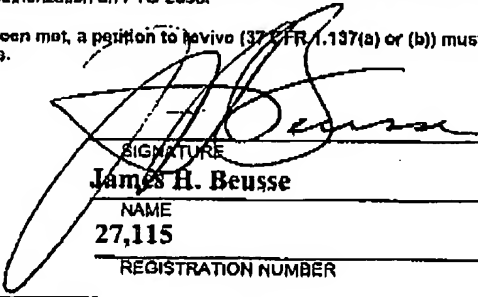
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER Houge 31-1-3-30/276
INTERNATIONAL APPLICATION NO. PCT/US03/07264	INTERNATIONAL FILING DATE 24 February 2003	U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/505,198
PRIORITY DATE CLAIMED 22 February 2002		
TITLE OF INVENTION Crystallographic Metrology And Process Control		
APPLICANT(S) FOR DO/EO/US Erik C. Houge; Brian Kempshall; Stephen M. Schwarz; Fred A. Stevie		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31)</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.78.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 2

PTD-1390 (Rev. 07-2004)
Approved for use through 3/31/2007. OMB 0651-0021
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U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/US03/07264	ATTORNEY'S DOCKET NUMBER Houge 31-1-3-30/276	
21. <input type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (CFR 1.482(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and international Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international Search Report prepared by the EPO or JPO \$920.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =			CALCULATIONS	
			PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		X \$18.00	\$
Independent claims	- 3 =		X \$86.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$
TOTAL OF ABOVE CALCULATIONS =			\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.			\$	
SUBTOTAL =			\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).			\$	
TOTAL NATIONAL FEE =			\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property			\$	
TOTAL FEES ENCLOSED =			\$	
			Amount to be refunded.	\$
			Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.				
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.				
c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.				
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.				
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the international Application to pending status.				
SEND ALL CORRESPONDENCE TO: James H. Beusse Beusse Brownlee Wolter Mora & Maire, P.A. 390 N. Orange Avenue, Suite 2500 Orlando, FL 32801				
			SIGNATURE 	
			NAME James H. Beusse	
			27,115	
			REGISTRATION NUMBER	

FORM PTO-1390 (REV. 7-2004) Page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAR 02 2005

In re Application of:

Applicant: Erik C. Houge

Examiner: Not Assigned

Serial No.: 10/505,198

Art Unit:

Filed: 08/19/2004

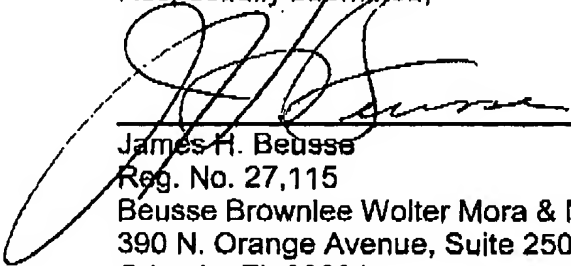
Confirmation No. 3717

For: Crystallographic Metrology
And Process ControlCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

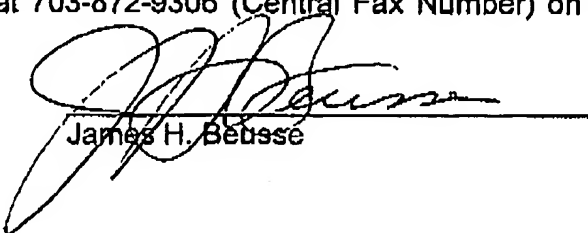
In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) dated as mailed **January 3, 2005** and having a period of response to and including **March 3, 2005**, enclosed are the following items required for filing in the above-referenced U.S. Patent Application:

1. 371 Formalities Letter (Confirmation No.3717)
2. Oath and Declaration (5)

Respectfully submitted,


James H. Beusse
Reg. No. 27,115
Beusse Brownlee Wolter Mora & Maire, P.A.
390 N. Orange Avenue, Suite 2500
Orlando, FL 32801
Phone: (407) 926-7701**CERTIFICATE OF TRANSMISSION**

I HEREBY CERTIFY that this Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) is being FAXED to the U.S. Patent Office at 703-872-9306 (Central Fax Number) on this 2nd day of March, 2005.


James H. Beusse

JAN 01 2005


UNITED STATES PATENT AND TRADEMARK OFFICE

 BEUSSE BROWNLEE WOLTER
 MORA & MAIRE, P.A.

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/505,198	Enk C Houge	Houge 31-1-3-30/276

INTERNATIONAL APPLICATION NO.

PCT/US03/07264

 James H Beusse
 Beusse Brownlee Wolter Mora & Maire PA
 390 N Orange Avenue
 Suite 2500
 Orlando, FL 32801

1A FILING DATE	PRIORITY DATE
02/24/2003	02/22/2002

CONFIRMATION NO. 3717

371 FORMALITIES LETTER

OC000000014861447

Date Mailed: 01/03/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/19/2004
- Copy of the International Search Report filed on 08/19/2004
- Request for Immediate Examination filed on 08/19/2004
- U.S. Basic National Fees filed on 08/19/2004
- Priority Documents filed on 08/19/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

MAR-02-05 16:22

FROM-BEUSSE BROWNLEE ET AL

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T-207 P.06/11 F-263

Page 2 of 2

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO	ATTY DOCKET NO
10/505,198	PCT/US03/07264	Houge 31-1-3-30/276

FORM PCT/DO/EO/905 (371 Formalities Notice)

**BEUSSE BROWNLEE WOLTER
MORA & MAIRE, P.A.**

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TO

FROM

James H. Beusse

COMPANY

U.S. Patent Office

DATE

March 2, 2005

FAX NUMBER

703-872-9306 - Central Fax No.

TOTAL NO. OF PAGES INCLUDING COVER

11

PHONE NUMBER

1-866-217-9197

SENDER'S REFERENCE NUMBER

075903-276

RE:

10/505,198

YOUR REFERENCE NUMBER

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

**RESPONSE TO NOTICE OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

Please confirm receipt.

THANKS.

390 NORTH ORANGE AVENUE, SUITE 2500, ORLANDO, FLORIDA 32801

TELEPHONE: (407) 926-7700 FAX: 407-926-7720